



## 98TH GENERAL ASSEMBLY

### State of Illinois

2013 and 2014

HB1331

by Rep. Frank J. Mautino

#### SYNOPSIS AS INTRODUCED:

20 ILCS 3125/10  
20 ILCS 3125/15  
20 ILCS 3125/20

Amends the Energy Efficient Building Act. Provides that the Capital Development Board shall adopt, every 3 years (now, no time requirement), the latest published edition of the International Energy Conservation Code as minimum requirements for commercial buildings. Provides that the Board shall adopt, at least every 6 years (now, no time requirement), the Code as the minimum and maximum requirements for residential buildings. Provides that, beginning January 1, 2013, the Board shall review and consider adopting the latest published edition of the Code within one year of its publication and may adopt the latest edition upon review (now, the Board shall adopt the Code within 9 months after its publication). Provides that the Code shall take effect 6 months (now, 3 months) after it is adopted by the Board. Effective immediately.

LRB098 09912 JDS 40070 b

FISCAL NOTE ACT  
MAY APPLY

A BILL FOR

1 AN ACT concerning State government.

2 **Be it enacted by the People of the State of Illinois,**  
3 **represented in the General Assembly:**

4 Section 5. The Energy Efficient Building Act is amended by  
5 changing Sections 10, 15, and 20 as follows:

6 (20 ILCS 3125/10)

7 Sec. 10. Definitions.

8 "Board" means the Capital Development Board.

9 "Building" includes both residential buildings and  
10 commercial buildings.

11 "Code" means the ~~latest~~ published edition of the  
12 International Code Council's International Energy Conservation  
13 Code as adopted by the Board, excluding published supplements  
14 but including the amendments and adaptations to the Code that  
15 are made by the Board.

16 "Commercial building" means any building except a building  
17 that is a residential building, as defined in this Section.

18 "Department" means the Department of Commerce and Economic  
19 Opportunity.

20 "Municipality" means any city, village, or incorporated  
21 town.

22 "Residential building" means (i) a detached one-family or  
23 2-family dwelling or (ii) any building that is 3 stories or

1 less in height above grade that contains multiple dwelling  
2 units, in which the occupants reside on a primarily permanent  
3 basis, such as a townhouse, a row house, an apartment house, a  
4 convent, a monastery, a rectory, a fraternity or sorority  
5 house, a dormitory, and a rooming house; provided, however,  
6 that when applied to a building located within the boundaries  
7 of a municipality having a population of 1,000,000 or more, the  
8 term "residential building" means a building containing one or  
9 more dwelling units, not exceeding 4 stories above grade, where  
10 occupants are primarily permanent.

11 (Source: P.A. 96-778, eff. 8-28-09; 97-1033, eff. 8-17-12.)

12 (20 ILCS 3125/15)

13 Sec. 15. Energy Efficient Building Code. Beginning January  
14 1, 2013, the ~~The~~ Board, in consultation with the Department,  
15 shall adopt, every 3 years, the latest published edition of the  
16 Code as minimum requirements for commercial buildings,  
17 applying to the construction of, renovations to, and additions  
18 to all commercial buildings in the State. Beginning January 1,  
19 2013, the ~~The~~ Board, in consultation with the Department, shall  
20 also adopt, at least every 6 years, the Code as the minimum and  
21 maximum requirements for residential buildings, applying to  
22 the construction of all residential buildings in the State,  
23 except as provided for in Section 45 of this Act. The Board may  
24 appropriately adapt the International Energy Conservation Code  
25 to apply to the particular economy, population distribution,

1 geography, and climate of the State and construction therein,  
2 consistent with the public policy objectives of this Act. The  
3 changes made to this Section by this amendatory Act of the 98th  
4 General Assembly shall in no way invalidate or otherwise affect  
5 contracts entered into on or before the effective date of this  
6 amendatory Act of the 98th General Assembly.

7 (Source: P.A. 96-778, eff. 8-28-09.)

8 (20 ILCS 3125/20)

9 Sec. 20. Applicability.

10 (a) Beginning January 1, 2013, the ~~The~~ Board shall review  
11 and consider adopting ~~adopt~~ the Code within one year after its  
12 publication and may adopt the Code upon review. The Code shall  
13 take effect within 6 months after it is adopted by the Board,  
14 except that, beginning January 1, 2012, the Code adopted in  
15 2012 shall take effect on January 1, 2013, and shall apply to  
16 any new building or structure in this State for which a  
17 building permit application is received by a municipality or  
18 county, except as otherwise provided by this Act. In the case  
19 of any addition, alteration, renovation, or repair to an  
20 existing commercial structure, the Code adopted under this Act  
21 applies only to the portions of that structure that are being  
22 added, altered, renovated, or repaired. The changes made to  
23 this Section by this amendatory Act of the 98th ~~97th~~ General  
24 Assembly shall in no way invalidate or otherwise affect  
25 contracts entered into on or before the effective date of this

1 amendatory Act of the 98th ~~97th~~ General Assembly.

2 (b) The following buildings shall be exempt from the Code:

3 (1) Buildings otherwise exempt from the provisions of a  
4 locally adopted building code and buildings that do not  
5 contain a conditioned space.

6 (2) Buildings that do not use either electricity or  
7 fossil fuel for comfort conditioning. For purposes of  
8 determining whether this exemption applies, a building  
9 will be presumed to be heated by electricity, even in the  
10 absence of equipment used for electric comfort heating,  
11 whenever the building is provided with electrical service  
12 in excess of 100 amps, unless the code enforcement official  
13 determines that this electrical service is necessary for  
14 purposes other than providing electric comfort heating.

15 (3) Historic buildings. This exemption shall apply to  
16 those buildings that are listed on the National Register of  
17 Historic Places or the Illinois Register of Historic  
18 Places, and to those buildings that have been designated as  
19 historically significant by a local governing body that is  
20 authorized to make such designations.

21 (4) (Blank).

22 (5) Other buildings specified as exempt by the  
23 International Energy Conservation Code.

24 (c) Additions, alterations, renovations, or repairs to an  
25 existing building, building system, or portion thereof shall  
26 conform to the provisions of the Code as they relate to new

1 construction without requiring the unaltered portion of the  
2 existing building or building system to comply with the Code.  
3 The following need not comply with the Code, provided that the  
4 energy use of the building is not increased: (i) storm windows  
5 installed over existing fenestration, (ii) glass-only  
6 replacements in an existing sash and frame, (iii) existing  
7 ceiling, wall, or floor cavities exposed during construction,  
8 provided that these cavities are filled with insulation, and  
9 (iv) construction where the existing roof, wall, or floor is  
10 not exposed.

11 (d) A unit of local government that does not regulate  
12 energy efficient building standards is not required to adopt,  
13 enforce, or administer the Code; however, any energy efficient  
14 building standards adopted by a unit of local government must  
15 comply with this Act. If a unit of local government does not  
16 regulate energy efficient building standards, any  
17 construction, renovation, or addition to buildings or  
18 structures is subject to the provisions contained in this Act.  
19 (Source: P.A. 96-778, eff. 8-28-09; 97-1033, eff. 8-17-12.)

20 Section 99. Effective date. This Act takes effect upon  
21 becoming law.